



WESTPORT

TOWN OF WESTPORT
REPRESENTATIVE TOWN MEETING
REPRESENTATIVE TOWN MEETING SPECIAL MEETING
PACKET
JANUARY 17, 2023
06:30 PM



TOWN OF WESTPORT

REPRESENTATIVE TOWN MEETING SPECIAL MEETING AGENDA

JANUARY 17, 2023
06:30 PM

Call

All Representative Town Meeting members and inhabitants of the Town of Westport are hereby notified that a special meeting of the Representative Town Meeting members will be held on Tuesday, January 17, 2023 at 6:30 p.m. for the purposes listed below. There is no physical location for this meeting. It will be held electronically. If necessary, the meeting shall reconvene on Thursday, January 19, 2023, to deal with any agenda items not disposed of at the adjournment of the January 17, 2023, meeting.

Attachment: [Resolutions.pdf](#)

Item #1

To take such action as the meeting may determine, at the request of at least 20 electors of the Town of Westport, pursuant to Town Charter C10-4, to review the Planning and Zoning Commission decision issued on December 12, 2022 regarding Text Amendment #819 (to create a new zoning district, §24C, General Business District/ Saugatuck Marina (GBD/SM) and Map Amendment #820 (to modify the Westport Zoning Map to rezone eleven (11) properties from General Business District (GBD) to proposed §24C, General Business District/Saugatuck Marina (GBD/SM)).

Attachment: [Petition.pdf](#)

Attachment: [Saugatuck Sensible Zoning Committee Presentation.pdf](#)

Attachment: [Planning _ Zoning Commission Presentation.pdf](#)

Attachment: [Roan Presentation.pdf](#)

Attachment: [RTM Planning _ Zoning Committee Report.pdf](#)

Attachment: [RTM Transit Committee Report.pdf](#)

**RTM Special Meeting
January 17, 2023**

RESOLUTIONS

(1)

RESOLVED: That as a result of a review requested by at least 20 electors of the Town of Westport, pursuant to Town Charter C10-4, the Planning and Zoning Commission resolutions adopted on December 12, 2022, regarding Text Amendment #819 (to create a new zoning district, §24C, General Business District/Saugatuck Marina (GBD/SM) and to modify associated zoning regulations), and Map Amendment #820 (to modify the Westport Zoning Map to rezone eleven (11) properties from §24, General Business District (GBD), to proposed §24C, General Business District/Saugatuck Marina (GBD/SM)), are hereby reversed.



Town Clerk

Town Hall, 110 Myrtle Avenue
Westport, CT 06880
Westportct.gov
tclerk@Westportct.gov
Telephone (203) 341-1105

I, Town Clerk of the Town of Westport, certify that this petition was filed with me on December 22, 2022, and that it contains 31 signed names of electors, whose names appear on the last completed registry list of this town.

A handwritten signature in black ink, appearing to read 'Jeffrey M. Dunkerton'.

Jeffrey M. Dunkerton
Town Clerk

December 22, 2022

The attached petition is submitted under section C10-4 of the town charter requesting a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

Submitted on behalf of Rick Smilow and the signatories.

Rick Smilow
14 Stony Point Road
Westport, CT 06880

Phone: 203-820-9009
Email: rsmilow@ice.edu

RECEIVED FOR RECORD
WESTPORT TOWN CLERK

2022 DEC 22 P 12:00

J. M. Dunkerton
JEREMY M.
DUNKERTON

Total
31

Number	First Name	Last Name	Address
1	Don	Bergman	32 Sherwood Drive
2	Jasper	Burke	324 Compo Rd S
3	Hannah	Dequadros	26 Eno Lane
4	Conrad	Dequadros	26 Eno Lane
5	Scott	Donahue	89 Sturges Highway
6	Toni	Donahue	89 Sturges Highway
7	Alberto	Escalarte	163 Imperial Ave
8	Russell	Ford	3 Burr Farms Rd
9	Karen	Ford	3 Burr Farms Rd
10	Adam	Goldfarb	43 Gorham Ave
11	Melissa	Goldfarb	43 Gorham Ave
12	Jane	Green	324 Compo Rd S
13	Jim	Hood	33 Soundview Dr
14	Richard	Kalt	8 Eno Lane
15	Lydia	Kalt	8 Eno Lane
16	Sheryl	Lawerence	107 Clapboard Hill Road
17	Robert	Lawerence	107 Clapboard Hill Road
18	Amy	Leonard	
19	Samuel	Levenson	165 Imperial Ave
20	Werner	Liepolt	27 Bridge Street
21	Debbie	Meissner	169 Long Lots Road
22	Jeffry	Meissner	169 Long Lots Road
23	Dylan	Meissner	169 Long Lots Road
24	Diana	Padilla	3 Park Lane
25	Julio	Rodriguez	3 Park Lane
26	Ruth Idalia	Rodriguez	165 Imperial Ave
27	Michael	Sharpe	6 Eno Lane
28	Carol	Sharpe	6 Eno Lane
29	Ellen	Van Dorsten	216 Hillspoint Rd
30	David	Van Dorsten	216 Hillspoint Rd
31	Rick	Smilow	14 Stony Point Road
32	Ian	Warburg	324 Compo Rd S
33	Doug	Weber	16 Bridge Street
34	Carey	Weber	16 Bridge Street
35	Charlotte	Weber	16 Bridge Street


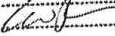
Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

Name	Signature	Address	Date
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Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 1819 and map amendment 820.

Name	Signature	Address	Date
✓ Hannah DeQuadros		26 Eno Lane	12.21.2022
WV CONRAD DEQUADROS		26 ENO LN	12/21/2022

①

Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

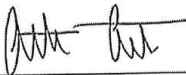
Name Signature Address Date

✓ Scott Donahue *[Signature]* 89 Sturges Hwy 12/21/22
✓ Toni Donahue *[Signature]* 89 Sturges Hwy 12/21/22

2

Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

Name	Signature	Address	Date
✓ Alberto Escarlate		163 Imperial Avenue	12 / 21 / 2022



Petition to Westport Representative Town Meeting

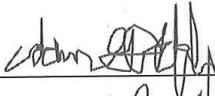

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

<u>Name</u>	<u>Address</u>	<u>Date</u>	<u>Signature</u>
✓ Russell Ford	3 Burr Farms Rd, Westport	12/21/22	<i>Russell Ford</i>
✓ Karen Ford	3 Burr Farms Rd, Westport	12/21/22	<i>Karen Ford</i>

2

Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

Name	Signature	Address	Date
NV ✓ <u>Adam Goldfarb</u>		<u>43 Gorham Ave</u>	<u>12/22/22</u>
✓ <u>Melissa Goldfarb</u>		<u>43 Gorham Ave</u>	<u>12/22/22</u>

(1)

Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.


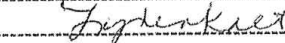
Name _____ **Signature** _____
Address _____ **Date** _____

✓ WIM HOOD [Signature] 33 Soundview Dr 21 Dec 22

①

Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

Name	Signature	Address	Date	
X	Richard Kalt		8 ENOLANE	12/21/22
✓	Lydra Kalt		8 ENOLANE	12/21/22

Char

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.



Name Sheryl Lawrence Signature [Handwritten Signature] Address 107 Cleburn Hill Rd
Date _____ Westport CT 06880

Multiple sets of horizontal lines for additional signatures, including solid top and bottom lines and dashed middle lines.

sign this form and email it back to me. Please do that NOW, or by 9 PM tonight. (There are several other people doing the same thing, and we want to see where we are at tonight)

Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

Name _____ Signature _____ Address _____ Date _____

~~Walter Weber~~  ~~167 Clapham Hill Rd~~ 12/12/11

~~Walter Weber~~ ~~167 Clapham Hill Rd~~ 12/11


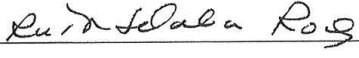
★
✓ Robert La... 167 Clapham Hill Rd 12/21/11

~~Walter Weber~~ ~~167 Clapham Hill Rd~~ 12/11

1

Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

Name	Signature	Address	Date
✓ Samuel LEVENSON		165 Imperial Ave	12/21/22
✓ Ruth Idalia Rodriguez		165 Imperial Ave	12/21/22

2

Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

Name Signature Address Date

Meissner Family

~~DEBBIE MEISSNER 169 Long Lots Rd 12/21/22~~

✓ A. DEBBIE MEISSNER [Signature] 169 Long Lots Rd 12/21/22

✓ B. JEFFREY MEISSNER [Signature] 169 Long Lots Rd 12/21/22

~~Jim Coyne 63 Old Hill Rd 12/21/2022~~

~~DEBBIE MEISSNER 169 Long Lots Rd 12/21/22~~



✓ C. Dylan Meissner [Signature] 169 Long Lots Rd 12/21/22

~~DEBBIE MEISSNER 169 Long Lots Rd 12/21/22~~

3

Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

Name	Signature	Address	Date
✓ Julio Rodriguez		3 Park Lane	12-21-22
✓ Diana Padilla		3 Park Lane	12-21-22

2

Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendments 19 and map amendment 820.

Name

Signature

Address


Date

✓ Michael Shupe
 Carol Shupe
 6 Ems Ln
 Westport
 12/21/22

2

Petition to Westport Representative Town Meeting

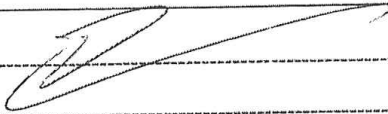
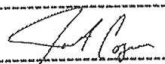
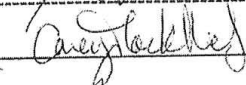





We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

✓ Name Amy Leonard
Signature 
Address 3 Orchard Lane, Westport, CT
Date 12/22/22

|

Petition to Westport Representative Town Meeting

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

Name	Signature	Address	Date
1. DOUG WEBER		16 Bridge St.	12/21/22 ✓
2. Jim Coyne		63 Old Hill Rd	12/21/2022 ✓
3. CAROL WEBER		16 Bridge St.	12/21/22 ✓
4. Rick Smilow		14 Stony Point Road Westport	12/21/22 ✓
5. CHARLOTTE WEBER		16 Bridge St.	12/21/22 ✓
6. IAN WARBURG		324 Campo Rd S.	12/21/22 ✓
7. JANE EREEN <small>Warburg</small>		324 Campo Rd S.	12/21/22 ✓
8. JASPER BURKE		324 Campo Rd S.	12/21/22 ✓
9.			

7

We the Undersigned residents of Westport under section C10-4 of the town charter, request a review by the Representative Town Meeting of the Planning & Zoning Commission's decision regarding text amendment 819 and map amendment 820.

Name Werner
Liepolt Signature WI Address 27 Bridge St,
Westport, Ct Date 12/20/2022

No

Signature

Werner Liepolt
27 Bridge St.
Westport, CT 06880

o



Saugatuck Sensible Zoning Committee

January 10th, 2023

Saugatuck

Map Amendment #820



"Why have we asked the RTM to review and overturn the recently adopted Text Amendment by the P & Z ?"

Should not have been handled through text amendment

A binary choice was given between approving TA 819 and 8-30g

Speed with insufficient due diligence and planning

Reactive: Ignored all prior professional guidance

Sets a dangerous precedent for all of Westport

Density
Density
Density

**Looks good on
paper...**

**What the
RTM needs to
understand**

- This is not a project.
This is a text amendment
- The Developer is under **no obligation to build anything resembling the renderings**
- The **Text Amendment** creates the ability of the property owners to build **451,000 sq ft** “as-of right”

The **devastating** zone change...



“as-of-right
development”

- **8.6 times** the amount of building density
- **Heights approximately 70 feet tall, with (6) floors**, that would be taller than the I-95 overpass
- F.A.R. (Floor Area Ratio) of **2.15** versus the previous **0.25**, or an **860% increase in density**
- 4.81 acres or **209,959** sq ft. The maximum allowable F.A.R. is now **2.15** which translates to **451,412** sq ft
- Prior F.A.R. of **0.25 permitted** to only **52,490** sq ft of new buildings

F.A.R. – Floor Area Ratio.... What does it mean?

F.A.R. is the area (in square feet) of the building relative to the area of the site

Example:

- Assume the site is 50' wide x 100' deep, totaling 5,000 Sq ft of land
- Assume the F.A.R. for that site is *2.0 (this number is assigned by the town)
- Therefore, the maximum allowable building size (or density) is 10,000 Sq ft of building floor area, on the site. Calculated as;
5,000 SF of site x 2.0 F.A.R = 10,000 Sq ft of floor area. (ie; density/volume)
- *The higher the F.A.R. Value, the higher the floor area. (ie; building volume)

Comparison: with the new P & Z approved text amendment...

- Site; 4.81 acres or 209,959 sq ft (an acre = 43,560 SF)
- P & Z Approved F.A.R. = 2.15

Therefore; the maximum allowable density on the site is 451,411 sq ft of buildings.

209,959 sq ft of site x 2.15 F.A.R. = 451,411 sq ft of floor area (ie; density/volume)

Roan Ventures sites total 309,500 sq ft SF of land.
(because not all (11) sites in this zone are currently controlled by Roan Ventures)

All sites within the GBD/SM F.A.R. **PRIOR to P & Z. Text Amendment #819**

- Site; 4.81 acres or 209,959 SF (an acre = 43,560 sq ft)
 - P & Z Previous F.A.R. = 0.25
- The maximum allowable density (previously allowed) on the site is **52,489 sq ft** of buildings
209,959 SF of site x 0.25 F.A.R. = 52,381489 SF of floor area (ie; density/volume)

THE NET CHANGE: A Density Increase of **8.6X**

Maximum Development by Zone

GBD – Prior to December 12, 2022

Coverage: 25% Building Size: 10,000 FAR: .25

GBD/S – Gault Development

Coverage: 25% Building Size: 10,000 FAR: .50

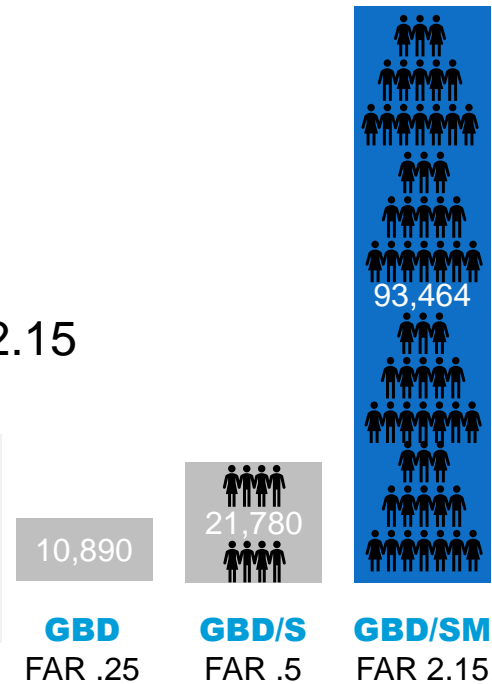
GBD/SM – 2022 Text Amendment #819

Coverage: 50%-75% Building Size: 40,000 FAR: 2.15

GBD/SM – Max Square footage per acre: 93,464

= **4.3x** allowable size of GBD/S, or Gault Development

= **8.6x** allowable size of GBD

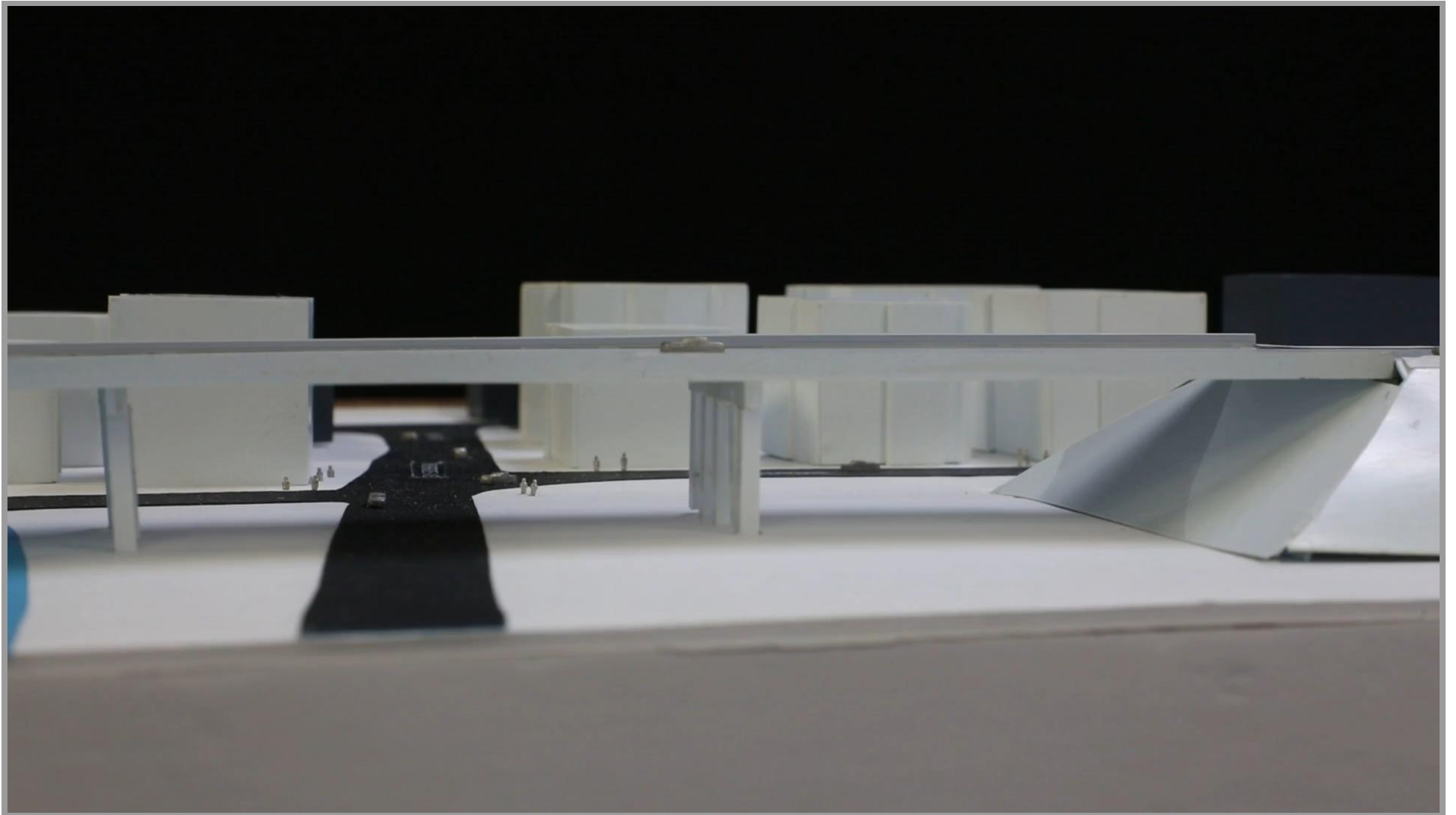


Threat: Westport becomes...

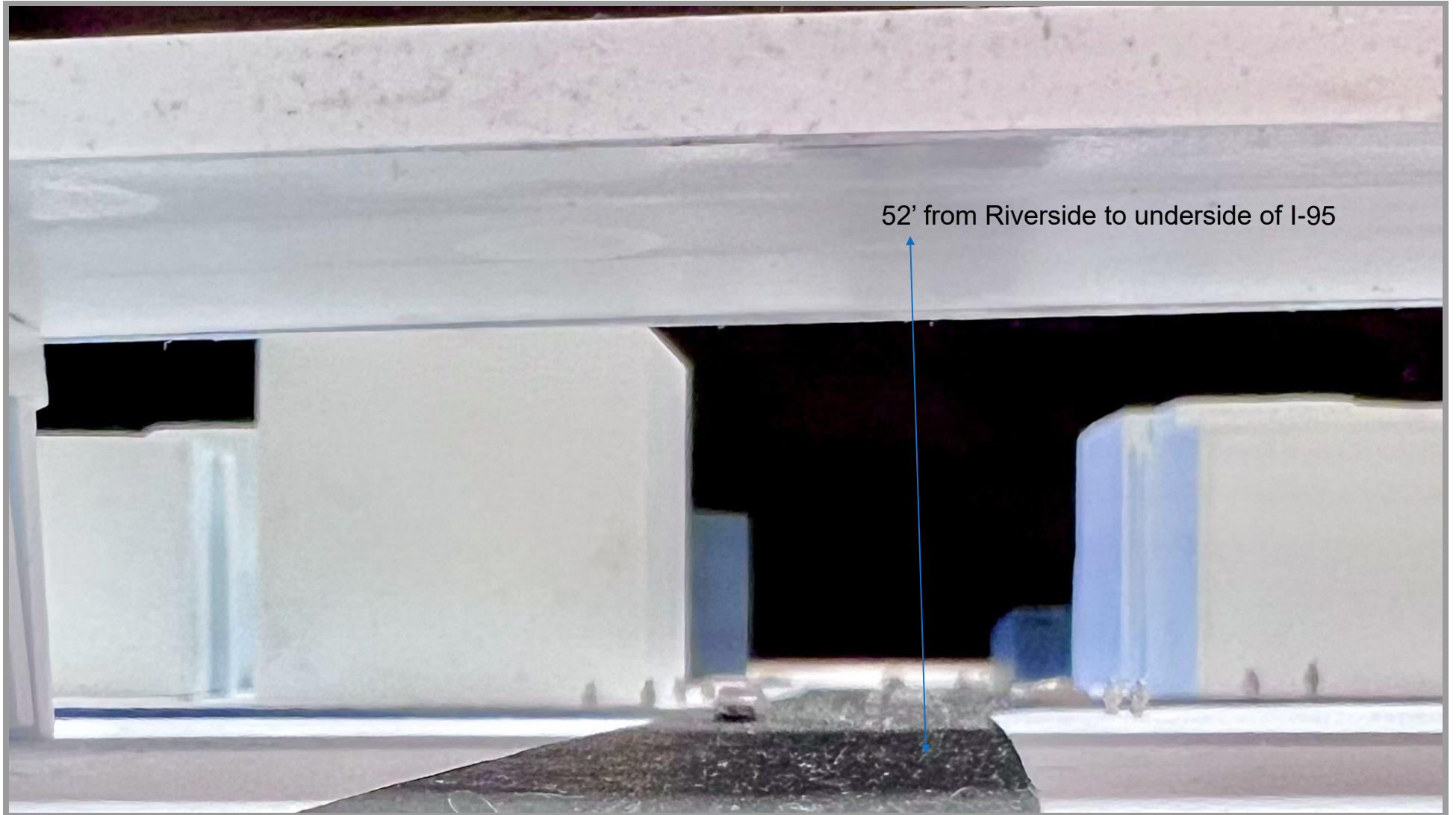
UNRECOGNIZABLE

- In terms of density, height, and scale, this Text Amendment will make Saugatuck the **largest commercial hub within the Town**
- Our beloved village known as Saugatuck will become **completely unrecognizable**, on par with the **Downtown Neighborhoods of Stamford**
- This sets a **dangerous precedent** for the entire town. Up-zoning property to encourage development of a scale that is not consistent with the neighborhood, or the stated wishes of our community
- Our calculations show that this development is **larger than all of Main Street and Church Lane combined**









Prior Professional Guidance Ignored...



- The Text Amendment completely ignored the **2017 Plan of Conservation and Development** and the **\$500,000 2018 Transit Oriented Design Master Plan** for Saugatuck - which included input from **1,500 Westport residents**
- This **2018 TOD study** proposed doubling the density of Saugatuck by increasing the F.A.R from **0.25 to 0.50**. A study that was never officially adopted and incorporated into the Westport Town Zoning Manual
- Under the Saugatuck TOD Master Plan from **2018**, the F.A.R. would have been increased (doubled) to **0.50**, translating to **104,980** sq ft of new buildings

2017 Plan of Conservation and Development

Goal

Maintain and enhance the character of Westport in order to retain a sense of community, beauty and history

Elements of “Character” include:

- “Small scale village centers (Downtown, Saugatuck)”
- “Scale of buildings and sites”
- “Historic buildings and places...”



What Is Character?

Webster’s Dictionary defines character as:

- a distinctive trait, quality or attribute,
- a place’s essential quality or nature or reputation.

Within the context of the POCD, “character” refers to those elements that, taken together, help make Westport both desirable and different from other communities. While the concept of community character is unique to each person, it seems that residents of Westport agree that it includes:

- The overall physical appearance of the community,
- The scenic resources and scenic views in Westport (such as views of wooded landscapes and the Saugatuck River),
- The natural environment and the preservation of trees and open space,
- The small scale village centers (Downtown, Saugatuck),
- The traditional residential neighborhoods (Old Hill, Greens Farms),
- Key community resources (Winslow Park, Compo Beach, Longshore),
- The design and scale of individual buildings and sites,
- The historic buildings and places that remind us of our shared past (historic houses, historic public buildings, the Cribari Bridge, etc.),
- The day-to-day experiences in the community,
- The local facilities and events that make Westport special, and
- the overall personality of the community.

These are just some of the unique physical qualities that, together, define the look, feel and essence of Westport and contribute to its unique character.

2017 Plan of Conservation and Development

Improve Saugatuck Center's "Public Realm"

In Saugatuck Center, the POCD recommends that programs and activities be undertaken to improve the streetscape, pedestrian friendliness, traffic flow, and other aspects of the "Public Realm" in this area in order to:

- Maintain a "small town" character
- Focus on a village-type area for Westport residents, and
- Implement strategies in a fiscally – and environmentally-responsible way

The design, relationship and compatibility of structures, plantings, signs, road-ways and other objects in public view all contribute to the overall attractiveness of the Saugatuck Center area and its economic vitality. It is important that:

- The distinctive character, landscape and historic value of the Saugatuck Center area be protected and preserved, and
- Any new development occurs in a way that protects and enhances the character of the Saugatuck Center area

The POCD recommends that action be taken to preserve and enhance the character of this area through either:

- Establishment of a village district (as authorized by CGS Section 8-2j) as was done for the downtown area, or
- Establishment of a form-based code or other approach

Survey Results

In the on-line survey, participants were asked whether they agreed or disagreed with the following statements:

We should encourage the revitalization of Saugatuck Center.

Strongly agree	26%
Agree	48%
Not sure	9%
Disagree	11%
Strongly disagree	7%

In Saugatuck Center, it would be OK to have taller buildings if they were well designed

Strongly agree	12%
Agree	20%
Not sure	3%
Disagree	33%
Strongly disagree	32%

We need more housing in and near Saugatuck Center.

Strongly agree	10%
Agree	30%
Not sure	22%
Disagree	23%
Strongly disagree	16%

In Saugatuck, it would be OK to have a parking structure for the train station

Strongly agree	25%
Agree	36%
Not sure	4%
Disagree	18%
Strongly disagree	18%

The sidewalks / pedestrian areas in Saugatuck Center are adequate.

Strongly agree	7%
Agree	34%
Not sure	11%
Disagree	37%
Strongly disagree	11%

We should establish a "village district" for Saugatuck Center which will allow the Town to regulate the design of new buildings

Strongly agree	24%
Agree	36%
Not sure	14%
Disagree	20%
Strongly disagree	6%

2017 POCD Survey

OK to have taller buildings in Saugatuck?
65% said "no"

Establish a "village district"?
54% said "yes"

2018 TOD Master Plan

SAUGATUCK TOD MASTER PLAN COMMITTEE

Members:

- Eileen Berenyi
- Al DiGuido
- Marty Fox
- Ward French
- Leigh Gage
- Peter Gold
- Francis Henkels
- Robert Iannacone
- Samuel Levenson
- Matthew Mandell
- Michael Mahoney
- Cathy Walsh
- Ian Warburg

Ex-Officio Members:

- Sam Arciola
- Katherine Daniel
- Rick Giunta
- Steve Edwards
- Carol Leahy
- Alicia Mozian
- Peter Ratkiewicz

WEBSITE:

www.GatewayForWestport.com

CONSULTANT TEAM:



COMMUNITY CHARACTER: Saugatuck is a treasured place within Westport and there is strong support for preserving and enhancing its unique qualities as a riverside New England hamlet and protect against the negative influence of national retailers by establishing architectural and landscape design standards.

SCALE: The community prefers the general scale of buildings in Saugatuck to remain at two to three stories. Most people in Westport do not want high density development similar to Norwalk or Stamford

2018 TOD Master Plan

What we learned

The Westport community is passionate about Saugatuck. We heard a wide range of ideas related to protecting its character, reducing traffic congestion, improving the public realm, enhancing the safety and connectivity of the pedestrian environment, creation of more civic spaces and increasing parking choices.

Historic Resources: Saugatuck's historic buildings, bridges and waterfront character are valued by the community and efforts should be made to protect and integrate these historic assets into the planning framework

The committee heard the many suggested changes to current zoning regulations made by the consultants. These suggestions are subject to review and adoption by the Planning and Zoning Commission. The list below represents possible areas for the Planning and Zoning Commission to explore:

1. Amend the Westport Zoning map to permit additional General Business District-Saugatuck(GBD-S) Zones
2. Amend the zoning Regulations to provide greater flexibility while maintaining the existing scale of Saugatuck:
 - a. Investigate and possibly implement form-based design standards
 - b. Initiate a Village District overlay zone
 - c. Designate certain portions of Saugatuck as a local Historic District or for inclusion on the National Register for buildings and/ or districts

TOD recommends...

- Permit additional GBD-S Zones
- Initiate Village District Overlay zone
- Designate portions of Saugatuck as "Local Historic District"

Text and Map Amendment Hearings...

More than **2/3rds** of the many people who wrote or spoke at the hearings expressed concern or objected to the proposal

I'm writing to you to ask that you reject the current proposal for rezoning of Saugatuck. Please enforce all current regulations. I've lived here for 13 years and part of the appeal of Westport was the different areas that make it unique from areas like Greenwich etc. Its important that we keep the heritage of Westport intact. Developers need to follow current protocol and not receive special permission for something that will alter Westport forever.
Please reject this!
Thanks- JC

From what I have read, it looks like it will increase traffic and take away from the quaint, beach-town feeling that we currently have. The development that has already taken place in the Saugatuck area has made a real improvement in our town already, and it was an appropriate amount of development commensurate with the needs and capacity of that area.

Please do not grant the zoning change to overdevelop an already lovely and very unique part of our beautiful town.

The proposal put forth by Roan developers is sure to be devastating to this little neighborhood. There is NO WAY that Saugatuck can accommodate the density that is proposed.

We love Saugatuck- What we do NOT like about our neighborhood is the excessive traffic jams. This is something we live with now and it's a very real problem.

**How do we solicit the
input of all our Town
residents for what
they want in Saugatuck
only to ignore them?**

Saugatuck Sensible Zoning Committee

20

Insufficient Communication and information...

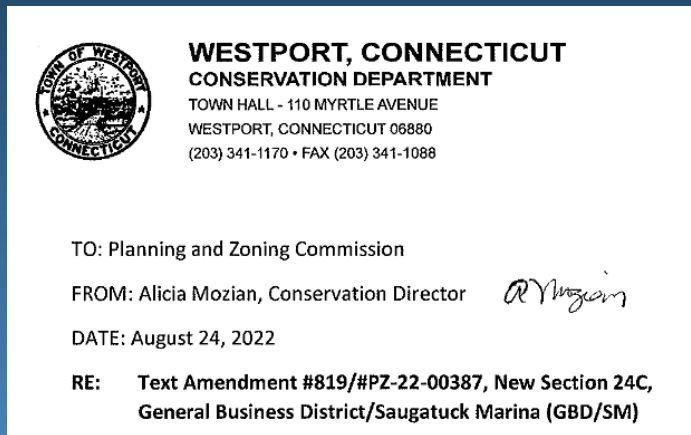
Public Notice – The noticing requirements have not kept pace with the times. Absence of printed newspapers mean that fewer people are aware of important matters.

Insufficient Communication between P&Z and town departments:

- No detailed and in-depth discussions or reporting with or from:
 - Public Works – Sewerage Capacities and Costs of Upgrading
 - Parks and Rec – Impacts of THIS project on Luciano Park
 - Westport Police – Parking Capacities, Impacts on Traffic, Safety, and more
 - Westport Fire - What will WFD need in order to fulfill their mission with an urban project of this magnitude?
- How can the P&Z make such a consequential decision without knowing what the burden to town resources will be?

Notable comments...

Disregard for deep concern from the one department that expressed opinion:



- “This zone change differs...it involves the redevelopment of a significant percentage of land area in Saugatuck Center”
- “...how can historic scale be achieved...?”
- “...how does a 60’ building encourage views of the water?”
- “CT DEEP...this application is inconsistent with Coastal Area Management Act”

As summarized in the resolution:

“Overall, Ms. Mozian recommended any redevelopment of the Saugatuck area be done in an environmentally sustainable way.”

A Binary Choice...

Approve this or get 8-30g

State Statute 8-30g

What's the deal?

8-30g is...

- A state statute that permits developers **to bypass local zoning laws** if town does not have 10% of housing deed restricted “affordable”...
- **70%** of units are market rate, with **30%** deed restricted affordable
- Westport's 4-year "Moratorium" from 8-30(g) expires in **March**
- Under 8-30g local planning and zoning has **limited control**

8-30g in reality...

Typical density in Westport:

- F.A.R. for Westport's recent and proposed 8-30g projects:
 - 1177 Post Road East - .47 | 85 Post Road West - .89

Text amendment #819 creates more than **2X** the density than Westport's 8-30g projects have

State Statute 8-30g does not need to be an adversarial process

This text amendment has not legally guaranteed that an 8-30g will not be built on this this site.

Non 8-30g Alternative: Darien Commons

EXISTING VIEW



FEDERAL REALTY ENTRY VIEW



Property purchased by Federal Realty Trust in 2013 for \$47.3 million (\$5.2 million/acre - \$185/ buildable sq ft)

- **Property** is adjacent to I95 and Metro North (Transit Hub)
- **Lot Size:** 9 acres (392,000 sq ft)
- **Buildout:**
 - 133,000 SF of Residential
 - 122 apartments
 - 121,000 sq ft of Retail
 - 492 parking spaces
- **TOTAL Buildout** - RES/NON-RES : 255,062
- **FAR** =.65
- **Building Heights:** 3 stories w/max height of 45' (developer sought 55')
- **FAR** if this project were in Saugatuck: 1.21

Questions regarding the **P&Z** process

- Why didn't the P&Z take into consideration the desires of **1,500 Westporters** as outlined in the TOD plan?
- Why didn't the P&Z retain **independent consultants** to review the proposed Text Amendment that is likely the most significant change in zoning in decades?
- Why didn't the P&Z require the Developer to **provide a scale model** so that the Commission could fully understand the impact of the Text Amendment?
- “Why didn't the P&Z start with the **recommended zoning in the TOD plan** and adjust up rather than start with the Applicants plan and (fail to meaningfully) walk them back?”

Questions regarding the **P&Z** process

- Did the P&Z consider a **Master Plan**, **Village District** or creation of an **Historic Property Overlay** in Saugatuck as recommended in the TOD Plan?
- Did the P&Z require a **fulsome review** from all applicable Town Departments or just run a **“check the box”** process?
- Why does the P&Z present the choice as **binary** – accept what the Developer wants to have **OR** succumb to an 8-30G?
- How can the P&Z adopt the **Text Amendment without a fulsome understanding of the implications** for additional traffic, wastewater treatment, environmental impact, etc.?
- Since it is a known factor that many **Westport residents** have or are prepared to invest in the developer’s project, why did the P&Z not insist that those names be made public during the public comment period?

Other questions for the RTM to consider

Investment

Is the Town prepared to invest in the infrastructure and personnel to support additional traffic, wastewater treatment, emergency services coverage, etc. required for the addition of nearly a dozen multistory buildings?

Neighbors

Have the RTM members polled their constituents to discuss the impact on their daily commutes, ability to navigate Saugatuck and their desire for all the additional “amenities” such as a hotel and a six story “Farmers Market” building over Luciano Park?

Impact

Will the additional traffic and density impact the ability of the Fire Department to deploy equipment from the Saugatuck station?

**Approved Text Amendment density allowed
but not part of current ROAN proposal**

Because other sites not in contract

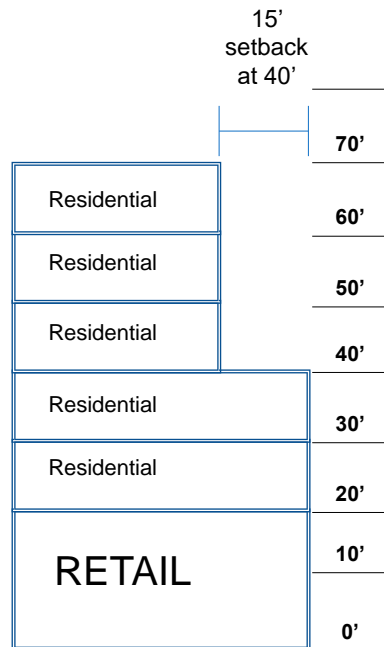
**Balance of unused FAR:
141,912* sq ft or 31.4% of total**

Therefore: Expect development on Railroad Place (Facing Train Station)
and Button Factory and Old Post Office* site

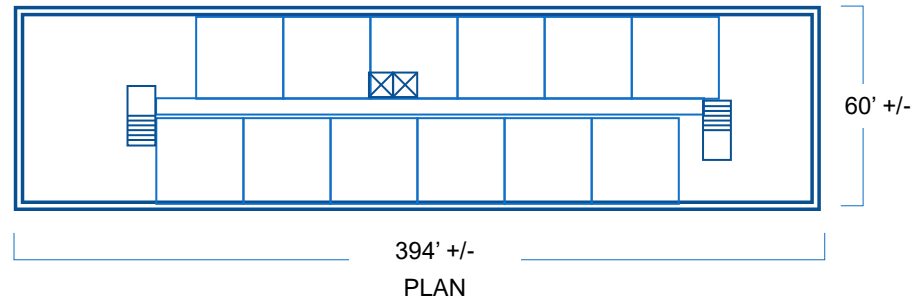
What would/could that look like?

Assume max height of 67'-70' (Based on slope roof)

Using standard (5 over 1) Podium Frame of (5) floors over (1) concrete slab



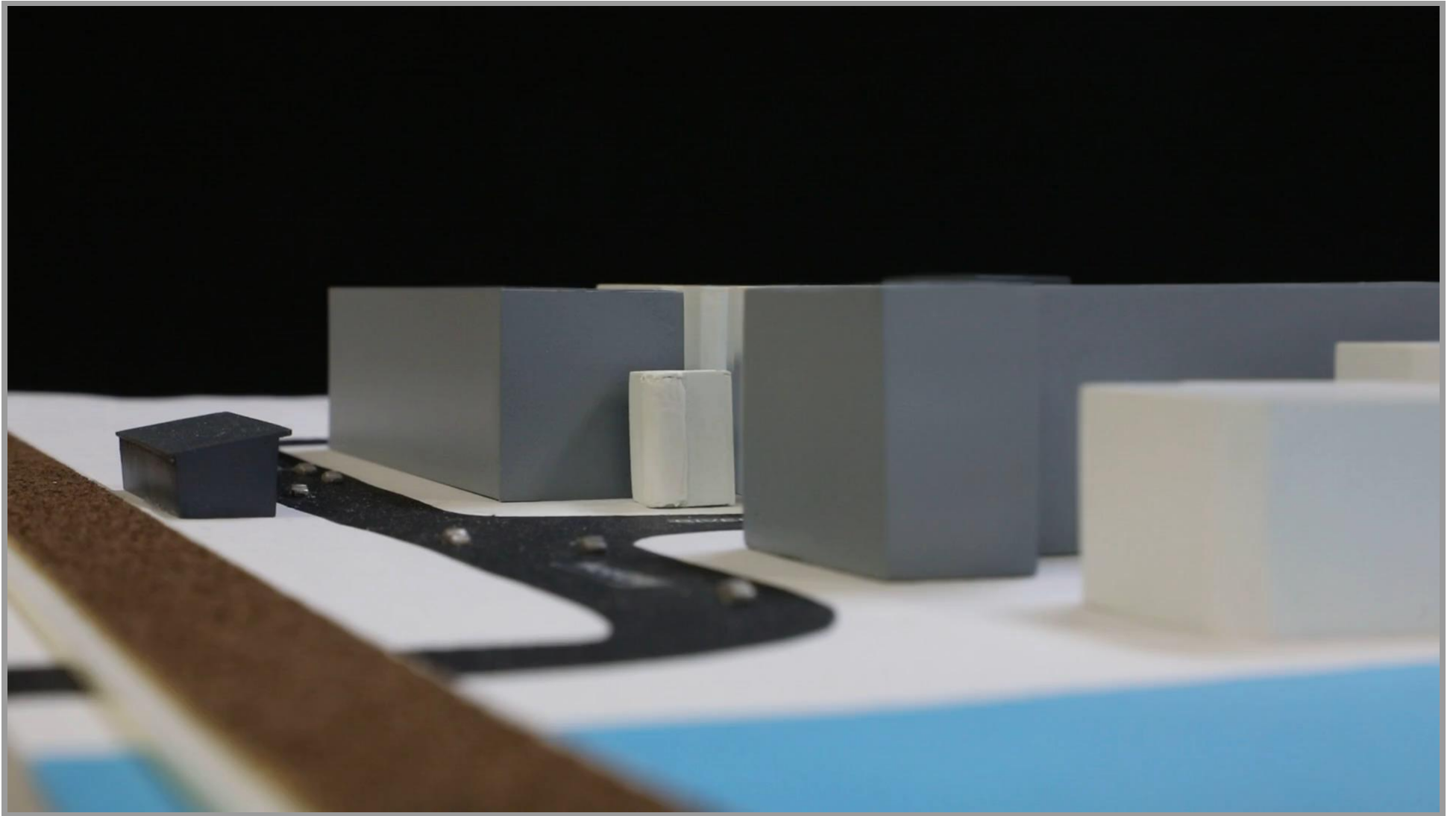
Assume typical floor plan of 60' Deep building:



Assume (6) floors

$141,912 \text{ sq ft} \div (6) \text{ floors} = 23,652 \text{ SF/Floor}$

$23,652 \text{ sq ft} \div 60' (\text{assumed WIDTH}) = 394 \text{ linear feet}$



Conclusion

- 1 The Text Amendment, as adopted, is one of the most significant changes in zoning to occur in Westport
- 2 It has far-reaching implications for local residents, commuters, through traffic, emergency services and more – which are permanent, not transitory
- 3 We believe that the fear of an 8-30G project has outweighed any consideration of a fulsome zoning review process, negotiation with the Developers or consideration of what Westporters want to see in Saugatuck

The Next Steps:

We respectfully request this approved Text Amendment, be wholeheartedly and unanimously rejected by the full body of the RTM.

We propose the P&Z engage the TOD Committee, the consultant team and the local citizens, to revisit the scuttled TOD Study from 2018 to determine what, if any, revisions to the study should be made in order to produce a document capable of being fully adopted and incorporated within the Town's Zoning Manual.

We expect that final document may include a density level somewhere between the level approved in the Text Amendment and that which was proposed in the TOD Study.



Saugatuck Sensible Zoning Committee

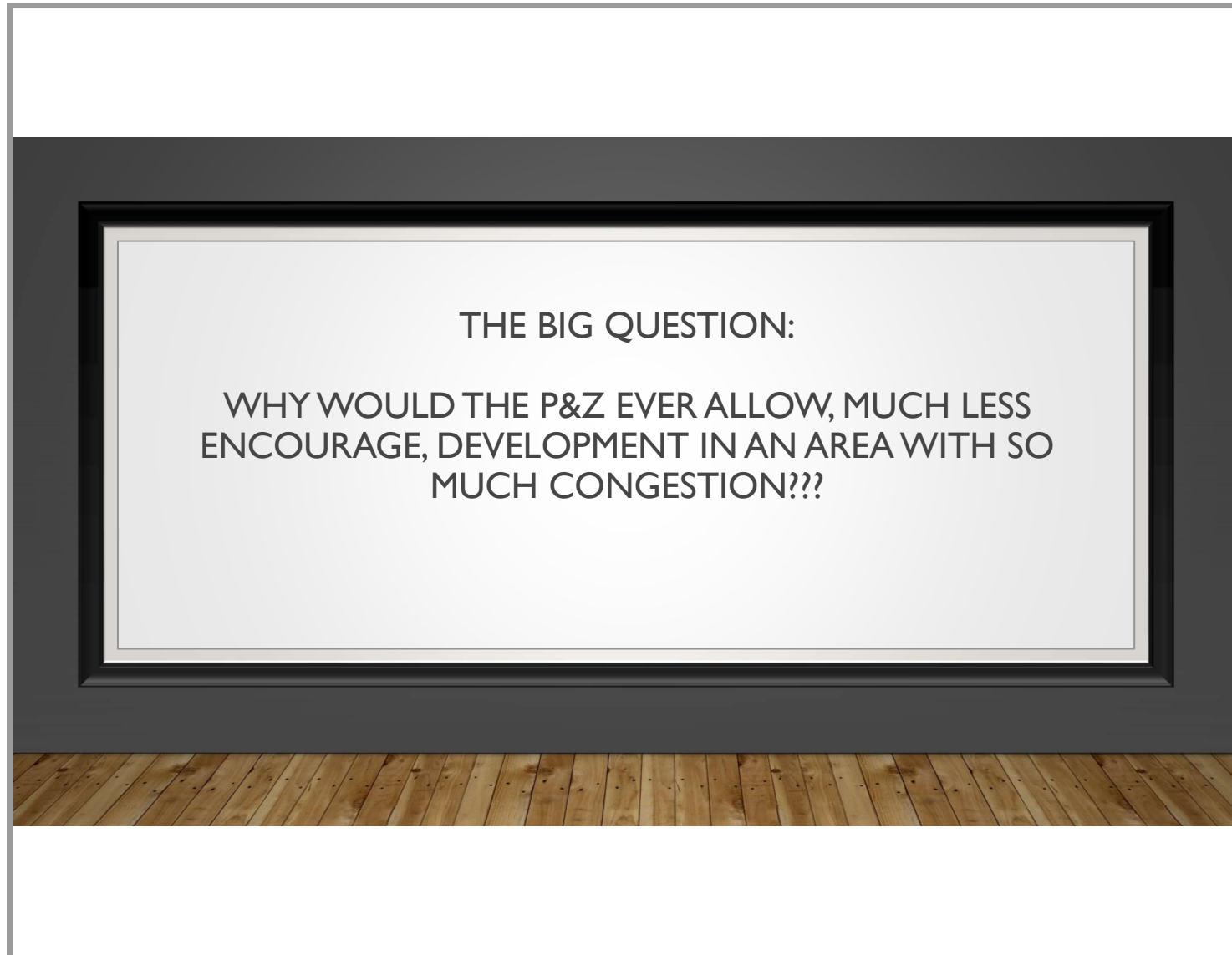
GENERAL BUSINESS DISTRICT/ SAUGATUCK MARINA

TEXT AMENDMENT #819 & MAP AMENDMENT #820

WHAT HAPPENED?

- The P&Z rezoned the PRIVATELY OWNED land bordered by Charles Street, the Saugatuck River, Railroad Place & Franklin Street to incentivize mixed use development in this zone.
- The resulting text amendment changes the zoning for ANY applicant owning property in the zone, i.e. even if it is sold.





**IT'S SIMPLE:
WE ARE
PROTECTING
THE TOWN OF
WESTPORT.**

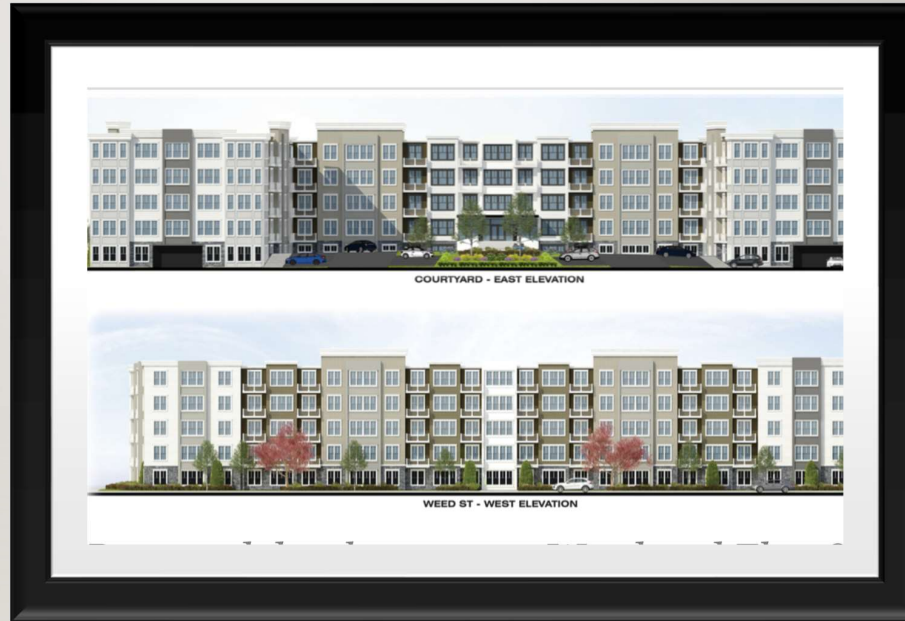
- In an ideal world, our local P&Z would have complete control over what can be developed in our town, especially in an area with the level of traffic congestion and infrastructure constraints that plague this zone, however, we live **IN THE REAL WORLD**. And in the real world, state law specifically provides an off-ramp for developers to **COMPLETELY BYPASS** local zoning regulations to create mixed income multifamily housing projects that are overly tall, dense, and provide little to no parking if located near transit. Local P&Z Commissions are not omnipotent and we DO NOT have the power to stop the intense development of this land.
- Our P&Z **acknowledges the reality** of our limited ability to stop a mammoth 8-30(g) project on this site and worked to thoughtfully and intentionally draft a text change that **incentivizes** mixed use development that provides for on-site parking, great design, public outdoor space and many other benefits.
- While we commissioners wish that our town had the power to stop development in Saugatuck – WE DO NOT as a matter of settled state law.

WHAT IS CGS 8-30(G): WHY DO YOU KEEP MENTIONING IT?

- 8-30(g) is a state statute that allows developers to **bypass** local zoning laws if their project is at least 30% deed restricted affordable units.
- Westport's 4-year "Moratorium" precluding new 8-30(g) developments expires THIS March.
- With an 8-30(g) project, traffic issues MAY NOT BE CONSIDERED
- With an 8-30(g) project, scale/design/architecture MAY NOT BE CONSIDERED
- With an 8-30(g) project, height, scale & massing MAY NOT BE CONSIDERED
- In addition to 8-30(g), the state legislature is considering new regulations to permit multifamily development around train stations with NO parking required "as of right". One bill was just introduced yesterday to do this!
- Every year, I take time off to testify in Hartford to work to stop harmful "as of right"/upzoning proposals and to amend 8-30(g).

THIS IS WHAT 8-30G
PROJECTS LOOK
LIKE **RIGHT NOW**
IN OUR PEER
TOWNS. REALLY.

102 UNITS PROPOSED ON
WEED STREET IN NEW
CANAAN.





Proposed 8-30(g) on Hill Street in New Canaan

BUT COULD THIS HAPPEN IN WESTPORT?

**IT IS ALREADY HAPPENING RIGHT NOW.
JUST ASK SOME OF YOUR COLLEAGUES ON THE RTM.**

THURSDAY, OCTOBER 11TH, 2018

P&Z Rejects Lincoln Street Development

In a unanimous decision, Westport's Planning and Zoning Commission (P&Z) tonight denied a developer's bid for a six-story, 81-unit, one- and two-bedroom, rental housing development — all just west of downtown.

The developer, Cross Street LLC, had proposed the development pursuant of the state's affordable housing statute 8-30g.

THURSDAY, JULY 23RD, 2020

Town, P&Z 'Carefully' Reviewing 8-30g Loss

LINCOLN STREET. THE HEADLINES TELL THE STORY.

THE COURT OVERTURNED THE P&Z COMMISSIONS DENIAL OF THIS PROJECT
AND OUR DENIAL OF THE 8-30(G) APPLICATION @ KINGS HIGHWAY/WILTON ROAD

WHAT MAKES THIS TEXT AMENDMENT FAR SUPERIOR TO AN 8-30(G)?
THE WORDS “AT THE DISCRETION OF THE COMMISSION” AND “MAY” APPEAR MULTIPLE TIMES IN THE TEXT AMENDMENT BECAUSE THE COMMISSION **RETAINED** OVERSIGHT AND CONTROL OVER ALL MAJOR ASPECTS OF ANY FUTURE PROJECT THERE.

The P&Z **RETAINED** robust oversight over design.

The P&Z **RETAINED** oversight over setbacks.

The P&Z **RETAINED** oversight over critical height bonuses permitted, all of which are tied to specific benefits for the town, subject to P&Z approval.

The P&Z is requiring onsite parking for apartments and all other uses + **RETAINED** oversight over parking plans for employees and high-traffic uses.

The P&Z required a traffic study and parking study for **EACH** building being proposed.

And all of this is in addition to our typical special permit requirements for every application.

WHAT DOES THIS MEAN IN THE REAL WORLD?
A RENDERING IS WORTH A THOUSAND WORDS.
NEW CANAAN 8-30(G) PROPOSAL VS TEXT AMENDMENT #819

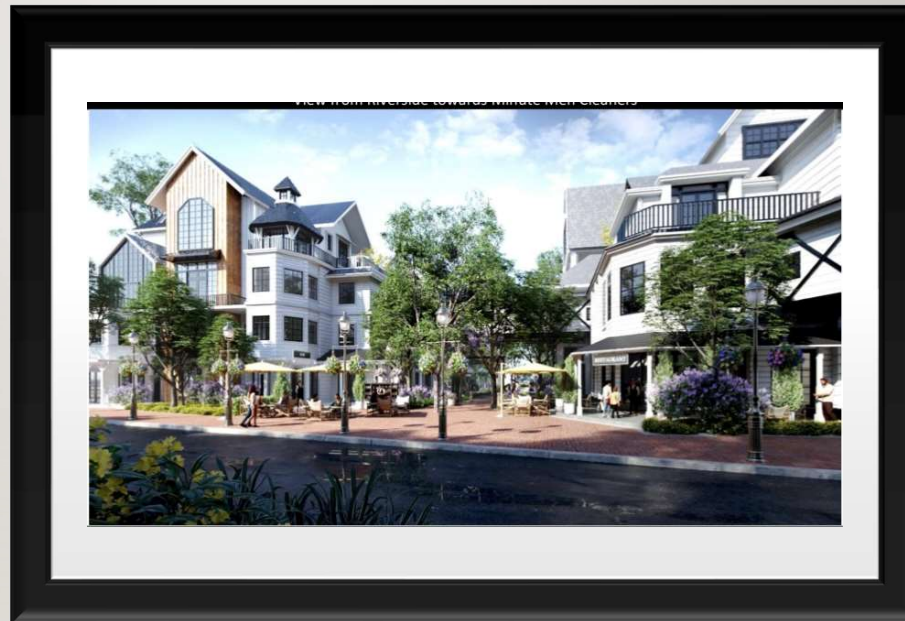


DESIGN OVERSIGHT
MATTERS

COVERAGE MATTERS

PUBLIC OUTDOOR SPACE
MATTERS

ALL OF THIS WILL BE
CONSIDERED AT THE
SPECIAL PERMIT STAGE.



**OVERVIEW OF
HEIGHT
ADD'L HEIGHT
= BENEFIT
FOR THE
TOWN**

- Railroad Place facades are limited to 40' of height.
- No building within 10 feet of the front property line can exceed 40' of height.
- Height bonuses *MAY* (not *will be* but *MAY*) be implemented provided that:
 - A. A minimum of 5,000 square feet of outdoor space accessible to the public is provided on any Lot
 - B. At least seventy-five percent (75%) of the required on-site parking is provided underground, consistent with the standards in §24C-19.1;
 - C. The standards in the Step-Back Program capping discretionary height described in Table 1 on the next page are met.
 - D. The provisions in §31-10.7.4 shall be addressed **at the discretion of the Commission.**

POTENTIAL HEIGHT BONUSES
 (NOT APPLICABLE TO RR PLACE, LIMITED EAST OF
 RIVERSIDE & LIMITED ADJACENT TO LUCIANO PARK)

Setback from Mean <u>High Water</u> Line	Building Height Permitted	Maximum Height after Bonus Applied ¹
0-24.99'	No Buildings are Permitted	No Buildings are Permitted
25.0 – 49.99'	40'	45'
50'-99.99'	40'	60'
100' - Riverside Avenue	40'	65'





HEIGHT WITH DESIGN CONTROL , BELOW GRADE PARKING & PUBLIC OUTDOOR SPACE WITH A 20% - 25% AFFORDABLE COMPONENT VERSUS MONOLITHIC HEIGHT



No applicant can build anything resembling the rendering on the right pursuant to this text amendment.

PARKING STANDARDS

- A make believe “secret deal” to “confiscate” commuter parking doesn’t exist! Please ask the police chief!
- Text requires 1.5 spaces for every studio or 1 bedroom
- Text requires 2 spaces for every 2 bedroom
- Text requires 1 space/1000 sqft of nonresidential space (joint parking MAY be permitted by the P&Z)
- An employee parking plan (likely will be offsite to avoid traffic) is subject to P&Z approval
- Special event parking for conferences, parties, lunches, etc during the weekday req plan that’s subject to PZC
- Parking plans required along with traffic studies for every single building providing add’l oversight of parking.
- We have strict parking regs but these simply aren’t enforced or required in Saugatuck for most existing restaurants who couldn’t meet these requirements.



BUT WHAT ABOUT THE TERRIBLE TRAFFIC???

ANY DEVELOPMENT WILL OBVIOUSLY NEGATIVELY IMPACT THE ALREADY TERRIBLE TRAFFIC, BUT THIS TEXT AMENDMENT PROVIDES FOR THE BEST POSSIBLE OUTCOME COMPARED TO ALL OTHER LIKELY DEVELOPMENT SCENARIOS. THE APPLICANT WILL SHARE THEIR TRAFFIC MITIGATION PLANS.

PUBLIC BENEFITS

Westport maintains control over design, height, scale, parking and massing.

Height bonuses are discretionary and also specifically tied to public outdoor space and underground parking.

20% of the marina spots will be free and open for the public to use in 3 hour blocks.

Public tie-up for kayaks and paddle boards.

Finally, there will be access to and from the river.

If onsite, 20% of the housing is deed restricted affordable. If offsite, 25% of the housing (and must be adaptive reuse.)

This text provides the framework to ensure there is an economically feasible alternative to 8-30(g) no matter who owns the property.

FREQUENTLY ASKED QUESTIONS

- Did you rush this? No. *We had 5 public hearings, 2 work sessions. We read through every word multiple times. Watch the recorded hearings to see! Statutory deadlines set by the state governed when the applicant had to be closed. We started in September & wrapped up in mid-December. There were numerous news articles in local blogs & newspapers.*
- Is this text drafted for this applicant? What if the project is sold/flipped? *Life happens and we never know who will actually develop a parcel which is why we carefully crafted the text amendment to ensure a positive outcome for the town no matter who builds there.*
- Is this developer going to “confiscate” commuter parking? *This is fake news. Unlike an 8-30g, this applicant must have onsite parking.*
- Why isn't there more open space? Why not demand shorter buildings? *Either our town provides a reasonable framework for development of this PRIVATELY OWNED land or applicants will seek to develop the site outside our regulations as the state permits.*
- Don't you care about the existing traffic issues and lack of infrastructure? *Of course! However, development will occur here and this proposal/text mitigates the worst issues as compared to all the likely alternatives.*
- Does this set a precedent? *No! This is a unique zone literally bordered by soaring infrastructure and the river. These height bonuses are only appropriate in this specific area between the train towers and the 95 overpass.*
- Was this the “developer’s dream?” *No – there have been DRAMATIC changes to height, FAR, parking & design oversight.*
- Do the P&Z Commissioners understand what they adopted. *Yes! And I would be delighted to answer your questions.*

Westport RTM
GBD/SM: Text & Map Amendment
January 10, 2023

□□□
THE HAMLET
at saugatuck





Locally-Based and Globally Recognized Team

Conceptualized in 2020, The Hamlet at Saugatuck team is composed of a local team of over 40 individuals supported by global leaders in hospitality design and architecture



Sponsor



Design Architecture, Interiors & Landscaping



Engineering



PR & Retail Placemaking



Hospitality Programming & Asset Management



Architect of Record



Legal - Zoning



Legal



Traffic Consultant



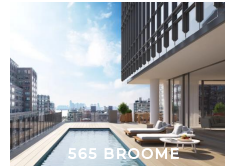
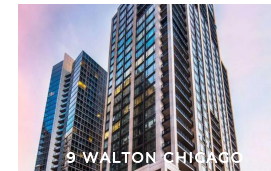
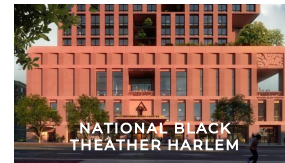
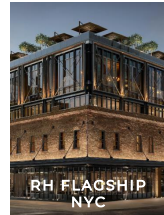
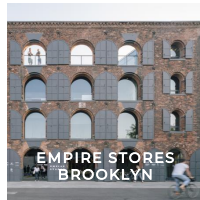
Environmental Remediation



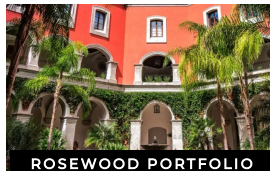
Depth of Experience in Award Winning Projects

Experience on dozens of real estate projects globally totaling well in excess of \$10 billion in gross value:

Development & Financing



Hospitality & Commercial Asset Management



Design & Placemaking



THE HAMLET
at saugatuck

Video: Introduction to the Hamlet at Saugatuck

The Hamlet At Saugatuck





Traffic Challenges & Opportunities

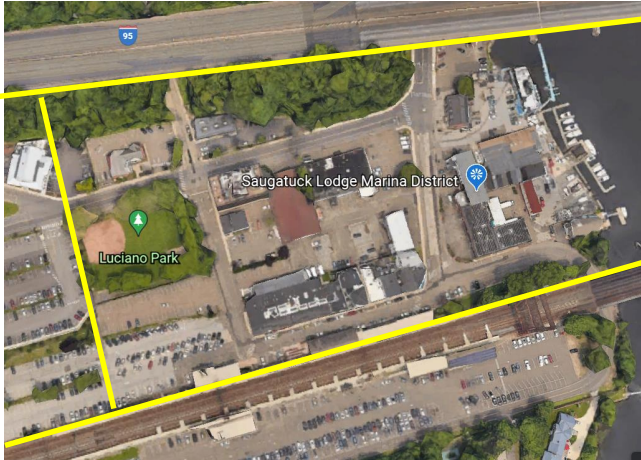
- The project can lead and help catalyze solutions: **No one is more incentivized to reduce traffic than us**
- We work in the neighborhood and know the traffic patterns intimately: it is concentrated in the evenings between 5pm to 6:15pm.
- These issues are caused primarily by I-95 Traffic and exacerbated by Waze—and improved by traffic police
- We have hired the best of the best to help address and improve traffic flows
- We have identified **7 strategies** to help mitigate and improve traffic:
 1. **Fix What’s Broken** – Lights in Saugatuck are **NOT coordinated**; we are speaking to the State to help address this
 2. **Design a Balanced Project** – Low unit count, low traffic intensity and not rush hour dependent. Offer retail options that reduce trips outside of Saugatuck (e.g., Saugatuck Shores to Downtown)
 3. **Build below grade parking** – Limits drive around traffic and fosters a walkable neighborhood
 4. **Add lanes to direct flows** – We are working with the state on adding two lanes on Charles and making Franklin 2-way
 5. **Incentivize public transportation** – Train Arrivals for guests, shared vehicles, public transportation.
 6. **Create a pedestrian network in Saugatuck** – Walk safely from the Train Station to the Rowing Club and back
 7. **Connect The Saugatuck River** – Leverage the recent dredging efforts by City Hall by adding a network of electric boats from Saugatuck to the Downtown Westport and Longshore to reduce car trips and add enjoyment of our prized resource.





Site Design Challenges: Sandwiched between the two busiest corridors in the East Coast

- The ONLY place in town surrounded by:
 - Train Towers (257 ft)
 - I-95 overpass (100 ft+ to top of light poles)
 - Office building (76 ft)
- Need a design that blocks out height and noise to ground and cocoon the pedestrian experience so Westporters can truly enjoy the neighborhood.
- The height will be utilized judiciously by our designers in order to provide the best visual and pedestrian experience.





Resulting in varied an interesting rooflines

A carefully designed program that delivers a viable neighborhood of the highest quality that can be enjoyed by all Westporters, their families and friends.



THE HAMLET
at saugatuck

Existing Conditions:
Families trying to find
shade and seating in
Saugatuck waterfront



THE HAMLET
at Longwood



The Hamlet at Dusk: Walking paths and nooks that help shield highway noise and encourage enjoyment and waterfront access and activation



THE HAMLET
at everyplace

Existing Conditions:
Minute Men Cleaners
facing Riverside Ave





THE HAMLET
at roanpark

Existing Conditions:
Back side of Tarantino
Restaurant





Perspective from location of Minute Men Cleaners facing Tarantino's

RTM Planning & Zoning Committee Report – January 16, 2023

RTM Planning & Zoning Committee Report regarding a request by petition under Town Charter C10-4 by over 20 electors to review Planning & Zoning Commission decision on Text Amendment #819 and Map Amendment #820.

The Committee met, in joint session with the RTM Transit Committee, on January 5th, January 10th and January 12th. The meeting on the 5th never formally began as the number of attendees on the zoom platform maxed out at 100 and more than that requested access. The meeting was cancelled. Following an upgrade to the platform the subsequent meetings took place with over 200 and 175 people respectively attending. All members of the committee attended one or both meetings. These two meetings together lasted an unprecedented 12.5 hours.

After initial introductions, Town Attorney Ira Bloom offered information about the RTMs charge under C10-4 and discussed RTM Rules of procedure under A162-25 Review of Zoning actions, Standard of Review. He also later answered questions about the meaning of “as of right” and his experiences with 8-30g developments, including court proceedings, in Westport and several other towns for which he serves as Town Attorney.

The Petitioners were 12 Westport residents calling themselves the Saugatuck Sensible Zoning Committee. A few members of the group, led by Rick Smilow and including Ian Warburg, Joe Vallone and Sam Levenson, gave a presentation. The thrust of their concern was not that redevelopment in Saugatuck should not occur, but that it should be done with better planning and in manner more consistent with the surrounding area and Westport as a whole. They questioned the process, the density and heights, contended that the P&Z was reactive rather than proactive in terms of planning and argued that prior guidance was ignored and calls for outside expertise were ignored. They also stated the applicant would not be obligated to build what was shown in their pictures, they only needed to adhere to these new rules.

Specifically, they stated that over 400,000sf of buildings space could be allowed as of right, as per their definition of that term. That this, in terms of Floor Area Ratio (FAR), was 8.6 times greater than what would be allowed today, moving from .25 to 2.15. They asserted that this was wildly out of scale with the area and all of Westport. They stated that heights of buildings would now be allowed over 70 feet, 67 to the midpoint and 72 at the ridgeline. They said that this new density, height and scale created the largest commercial hub in town making it unrecognizable and on a par with more urban areas like downtown Stamford and would be greater in density than downtown Westport. The petitioners said this would establish a dangerous precedent for upscaling of downtown and the rest of Westport.

Petitioners further stated that prior guidance outlined in the 2017 Plan of Conservation and development were not taken into account, the \$400,000 2018 Transit Oriented Design Master Plan was outright ignored and that more than a majority of public

comment questioning the height and scale at the P&Z hearings themselves were not addressed.

Finally, they questioned first, the likelihood of a threat of an 8-30g, and then the binary choice created by the P&Z's contention that allowing for this rezoning was better than allowing an 8-30g project. They contended that most 8-30g projects had less than half the FAR of this text and that creating this zone would bring more questions from the State as to our reluctance to create affordable housing.

A dual presentation in response to the petitioners was led by P&Z Chair Danielle Dobin along with P&Z Director Mary Young, P&Z Vice Chair Paul Lebowitz and the Applicants Roan Ventures' team.

They led off with outlining the threat of 8-30g, explained that the town had virtually no control over what could be developed by 8-30g developments, and provided an illustration of the comparisons as to what could be built with projects that bypass local zoning rules. Such projects, they demonstrated, could dwarf what was approved, offer little in amenities such as parking, include only the most basic environmental protection and remediations, such as parking and would add much greater stress on our town infrastructure. They explained that the rezoning regulations allowed the P&Z review of all developments submitted under the rules, and that all town review commissions and committees would also have their normal reviews of the site plans. They stated that design oversight mattered, coverage mattered, public outdoor space mattered and that all of these issues would be covered at the Site Plan and Special Permit stage. P&Z argued that they had limited the scope of what had been proposed and that heights permitted in the zone worked in this specific area of town between I95 and the train. That creating financial incentives for the zone was needed to allow for these or other developers to want to come and build a project. The P&Z had implemented usable open space, landscaping and setback concepts that would open up the area for increased public access to an area now that was 100% blacktop and had no access to the river.

P&Z went into the oversight that it said they maintained with regard to height, FAR, setbacks, stepbacks and parking and the control it would have as the process moved forward. Words such as "may" and P&Z "discretion" were important and were needed parts to ensure that the project would indeed represent what had been shown and indeed promised by the applicants. Studies, as part of the special permit, would need to be done for traffic and for parking and vetted by a third-party consultant hired at the applicant's expense.

Roan Ventures followed up by ensuring that they were 100% vested in this project and would deliver what was shown in their proposal. They were part of the community, not just outside developers looking to cut and run. They had and will seek out the best partners to design and execute their plan and program. They said they did not have any more wiggle room to offer any concessions and doing so would jeopardize their ability to bring in such partners. They said that late additions, by the P&Z to the text, would cause them to rework some things, but the project would still be viable.

A vigorous Q&A between the RTM and P&Z & Roan ensued covering a breath of issues and only ended due to time constraints to allow public comment. During the question-and-answer period, ROAN repeated their promise that 1.5 acres of the 4.81 acres of the development would be open space.

Police Chief Foti Koskinas was questioned by members of the RTM Transit Committee with regards to traffic and railroad parking. The biggest issue to arise was that any person with a valid registered car with insurance may purchase a RR Parking pass regardless of whether they use the train in either direction or not. Parking passes could well be purchased by employees of the zone, but a company would be hard pressed to be able to acquire multiple passes.

Public comment ensued and was split between the speakers that were in support of or in opposition to the P&Z decision. The majority, but certainly not all of those in support did identify themselves as having a financial interest in the project. There were some who said this project did not create enough affordable housing especially for this specific area.

The RTM Committees then took the time to ask the P&Z & Roan questions about the concerns that were raised by the public. After that each presenter (Roan, P&Z and the Petitioners) was given an opportunity to sum up and make a final statement.

The RTM P&Z Committee then discussed the issue at hand and worked to make a recommendation to the full RTM. It was clear a majority if not all the committee members had issues with the P&Z decision. There was height, density, FAR, traffic and parking concerns. Several of the members felt the P&Z should have done more planning and a better job in handling the "negotiations" and wished they offered less and found a better middle ground in their approval. But did this excess rise to the level of recommending an overturn was the question, especially with other mitigating issues and potential improvements such as underground parking, open space requirements, water access and pedestrian mobility. The P&Z framed their decision to grant more to both incentivize the zone to ensure development and to ward off a far larger and less controlled 8-30g. The majority, if not all, of the committee members mentioned the 8-30g threat, some saying it was a real concern and they understood P&Z's thought pattern. Control was important. The way that P&Z built in future discretion in the Site Plan and Special Permitting process was of value. This too was something the Committee felt may not be perfect but was a positive and gave some comfort. One Committee member said accepting the P&Z decision was essentially a leap of faith that one, the applicant would indeed follow through on the concept offered and two, that the P&Z's mix of bonus requirements and controls through discretion would hopefully deliver a good project.

On a motion by Ross Burkhardt and seconded by Ellen Lautenberg the committee offered the following resolution:

RESOLVED: That as a result of a review requested by at least 20 electors of the Town of Westport, pursuant to Town Charter C10-4, the Planning and Zoning Commission resolutions adopted on December 12, 2022, regarding Text Amendment #819 (to create a new zoning district, §24C, General Business District/Saugatuck Marina (GBD/SM) and to modify associated zoning regulations), and Map Amendment #820 (to modify the Westport Zoning Map to rezone eleven (11) properties from §24, General Business District (GBD), to proposed §24C, General Business District/Saugatuck Marina (GBD/SM)), are hereby reversed.

Vote: 0-7-1 Recommendation to NOT overturn the P&Z Decision.

No - Bairaktaris, Batteau, Braunstein, Burkhardt, Keenan, Kramer, Lautenberg

Abstain - Mandell due to possible appearance of conflict.

Absent – Perry

Submitted by

RTM Planning & Zoning Committee

Matthew Mandell, Chair

January 16, 2023

Report
RTM Transit Committee
Regarding the petition to overturn
Zoning Text Amendment #820 and Map Amendment #819

Committee Members present at 12:30 AM (+/-) January 13th were Ross Burkhardt, Peter Gold, Kristin Schneeman, Sal Liccione, Nancy Kail, and Claudia Shaum.

The Committee considered the following motion presented by Committee Chairwoman, Kristin Schneeman:

The Transit Committee recommends to the full RTM overturning the Planning and Zoning Commission decision regarding Text Amendment #819 and Map Amendment #820, based solely on our Committee's purview on all matters concerning traffic and transit in Westport.

The Motion was worded this way because the petitioners came to us asking us to overturn the amendments and to make it clear that the Committee was basing its votes by considering only those issues within its purview such as traffic and parking.

The vote was 1 in favor and 5 against, thus the motion did not carry. Sal Liccione voted for the resolution (or in favor of overturning the amendments.) Ross Burkhardt, Peter Gold, Kristin Schneeman, Nancy Kail, and Claudia Shaum voted against the Motion. Dick Lowenstein and Rachel Cohn had left the meeting before the vote was taken, but both expressed afterwards their opposition to overturning P&Z actions.

There is no question that the bar is high for the RTM to overturn a P&Z decision.

It could be safely said that as a committee we were impressed with all the work that went into the text amendments and into the presentation by the petitioners.

There was no doubt by anyone that any new development in the Station area like the Hamlet could have a significant impact on traffic and parking. The petitioners and others opposing the text amendment strongly believe the Hamlet will make the traffic conditions much worse for Westport residents.

On the other hand, it is hard to have a clear sense of the impact because we don't have any recent and relevant traffic studies of the area. Burkhardt stated the Town should have been working with the State for a long time collecting data and creating models of traffic in the area so that we could have been able to analyze the impact of the text amendment.

Unfortunately, full-up traffic studies and parking plans won't be forthcoming until we get to the site plan and special permit stage.

Police Chief Foti Koskinas attended the January 13th meeting to address the role of Railroad Parking (RRP) in the proposed plan. He indicated that no special treatment has been offered to this developer in terms of access to RRP spaces, but noted that anyone is able to park in RRP after 3pm on weekdays and all day on weekends. Anyone is also able to take a \$5/day spot or apply for an annual permit. There are some 2-hour spaces in RRP lots, and there are a few instances in which spaces have been allocated to local businesses, including Avis and the Saugatuck Center lot (Lot 6).

Some committee members seemed persuaded the project is "balanced" enough so it could have lower traffic impacts than an alternative such as an all-residential development. Schneeman noted that floor area ratio (FAR) is not the only and maybe not even the most important factor in thinking about density. One hundred units of housing at an FAR of 1.5 could have a bigger impact traffic-wise than the mixed uses proposed by Roan.

Gold noted that Westport's zoning regulations require that developers must demonstrate that their proposed projects will not cause intersections in the project area with congestion at level D or lower (on a scale of A through F) to be downgraded to a lower level or, if the project would cause such intersections to be downgraded to a lower level, take steps to mitigate the traffic so the intersections stay at least at the same level. During the site plan review stage for the project the P&Z will hire traffic consultants at Roan's expense to review and evaluate Roan's proposals. This could give the town leverage in obtaining improvements that would ameliorate any negative impact on traffic.

The developers noted they are already working with the State to try to make improvements to intersections and road configurations to begin to address the traffic issue, and that they are willing to collaborate on public transportation and improving pedestrian walkways. Schneeman noted that it will be incumbent on the Town to ensure they follow through with this commitment.

There was quite a bit of skepticism about how Roan is going to manage parking for employees. The text amendment provides bonuses if at least 75% of the parking called for in the text amendment is underground and Roan has indicated they intend to do this. However, concerns were raised about their ability to do so due to the high water table in the area and the additional potential increase in the height of the water table due to the provision of underground parking.

It was also noted that the parking called for in the text amendment does not include parking for employees but, rather, only takes hotel guests, condo residents and retail customers into account. When questioned where Roan would provide parking for employees and how they would require them to use it rather than parking at the train station parking (either by getting a permit or in the \$5 a day spaces), Roan said they had not thought about it yet. Danielle Dobbin noted that Roan would have to submit a parking management plan as part of their site plan proposal. It was also noted that while Roan cannot build a stand-alone parking structure, they can build one as an accessory

to a building on the same lot as the building. The parking structure in this case would have to be screened.

It was pointed out that the petitioners cited as an example of a “good” 8-30g project the building at 1177 Post Road East. A big part of the reason that is a “good” 8-30g is that the developers were willing to engage with the P&Z in a productive way. Committee members have seen developments in Westport where that was not the case. The takeaway from 1177 PRE is that it really matters to have an applicant you can work with.

As noted above there was one vote for overturning the text and map amendments and five votes against overturning them.

Sal Liccione, who voted for overturning the text and map amendments, agreed with the many people in town who believe that the negative impacts of the Hamlet on traffic, parking, health and safety alone would be too large. He feels that as a specific site plan has not been presented there is not enough information to truly evaluate the impact of the text amendment. However, he feels that based on the allowable density and the proposed uses the area will become too congested and will place too much stress on the existing infrastructure in area.

Submitted by Ross Burkhardt, RTM District 3